

REMARKS

Claims 1-11, 16, 19-27, 33-43, 48 and 51-59¹ are pending. Claims 16 and 48 were amended to incorporate the limitations of claims 17-18 and 49-50, respectively, and to improve their form with respect to the “user manipulation” limitation. Accordingly, claims 17-18 and 49-50 were canceled. Claims 19 and 51 were amended to conform their dependency to respective independent claims 16 and 48.

Request for Interview Prior to Formal Action on Amendment

Applicants request an interview prior to formal action on this response. An “Applicant Initiated Interview Request Form” accompanies this response. Please contact Applicant’s undersigned representative to schedule the interview.

Prior Art Rejections

Claims 16-21 and 48-53 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Siegel in view of Applicant’s indicated prior art. Applicants respectfully traverse this rejection.

1. Patentability of claims 16 and 48 over Siegel in view of Applicant’s indicated prior art

Claim 16 reads as follows (underlining added for emphasis):

A method of allowing a user to interact with a web page displayed on a display device, wherein the web page includes one or more grammatical units, each grammatical unit being defined by an active region, the method comprising:

(a) positioning a pointing device over an active region of a grammatical unit, the grammatical unit being automatically highlighted whenever the pointing device is over the active region, and without requiring any further user manipulation of the pointing

¹ The outstanding Office Action does not list claims 58-59 as being pending. However, these claims are pending and are believed to be allowable because they depend from allowable independent claim 54. The Examiner is requested to correct the claim status in the next Office Action.

device or any other user interfaces associated with the display device; and

(b) automatically loading the grammatical unit into a text-to-speech engine without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device, the grammatical unit thereby being automatically spoken, wherein steps (a) and (b) occur sequentially, and step (b) occurs only if the pointing device persists in the active region for greater than a preset human perceivable time period.

In the Office Action, the Examiner states that Siegel does not teach the limitation of a grammatical unit being automatically highlighted, but that page 3, lines 1-3 of Applicants' specification teaches that a user can highlight a portion of text to be read aloud. Page 3, lines 1-3 of Applicants' specification reads as follows:

The user can also highlight a portion of text (by pointing and clicking with a cursor), and then click on a button for the eReader to read that text.

However, the original and currently amended claims recite that the automatic highlighting occurs without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device. The prior art referred to by the Examiner explicitly requires user manipulation of a pointing device (i.e., clicking with a cursor), and thus teaches away from the "automatic highlighting" limitation. Accordingly, Applicants' prior art does not disclose or suggest this limitation.

Furthermore, even if the "automatic highlighting" limitation is disclosed or suggested by the prior art, claim 16 now recites the limitations of claims 17 and 18 wherein step (b) occurs only if the pointing device persists in the active region for greater than a preset human perceivable time period. In the Office Action, the Examiner states that these limitations are obvious in view of Siegel's mouseover event described on column 19, line 21. Column 19, lines 20-23 of Siegel read as follows:

When a special word within the contiguous text is moused over, only the special word is pronounced. Thus, a child, or other suitable user, can cause the mouse cursor to flit across the screen, hearing special words on the fly, at random, and also be able to hear the entire passage at will. (underlining added for emphasis)

Nothing in this passage discloses or suggests that the special word is pronounced only if the mouse cursor persists over the special word for greater than a preset human perceivable time period. In fact, Siegel describes that a user can cause the mouse cursor to “flit” across the screen, hearing words on the fly. Two commonly accepted definitions of “flit” are: 1. To move about rapidly and nimbly, and 2. To move quickly from one condition or location to another.² A mouse cursor that flits across a screen does not necessarily persist over a word for “greater than a preset human perceivable time period.” Nowhere does Siegel disclose or suggest that the step of loading of a special word that a cursor has moused over into Siegel’s text-to-speech engine is delayed for any period of time so as to prevent the special word from being subsequently spoken. In Siegel, if a user flits a cursor across the screen at a speed that is faster than a human perceivable time period, it is entirely possible that (i) only the beginning sound of each special word that is moused over will be spoken, resulting in garbled speech, or (ii) all special words that are moused over will be spoken in the order that they were moused over. Nowhere does Siegel describe any scheme for detecting a cursor location persistence time period to determine whether to activate the text-to-speech function for a moused over special word.

The Examiner states that it would have been obvious to provide for such a human perceivable time period so as to “allo[w] enough time for the user to properly select the position to begin reading, and so the system will be able to realize the area the user wants to read.” This reasoning constitutes improper hindsight recreation of Applicants’ invention. This reasoning adds a capability to Siegel’s system that is nowhere disclosed or suggested by Siegel.

² The American Heritage® Dictionary of the English Language, Fourth Edition, Copyright © 2000 by Houghton Mifflin Company.

Applicants' invention presents a unique combination of limitations, some of which individually exist in the prior art. Three of the limitations, all of which must occur in combination, include:

(i) automatically highlighting a grammatical unit when a pointing device is placed over an active region of the grammatical unit, without requiring any further manipulation of the pointing device, such as clicking;

(ii) detecting whether the pointing device persists in the active region for greater than a preset human perceivable time period; and if so,

(iii) automatically loading the grammatical unit into a text-to-speech engine without requiring any further user manipulation of the pointing device or any other user interfaces associated with the display device, the grammatical unit thereby being automatically spoken.

This combination of limitations was specifically selected to allow persons with certain types of cognitive disabilities to more easily navigate through a web page, although any user could benefit from the invention. Siegel has no such goal. Thus, to recreate Siegel's invention to provide this exact combination of limitations is improper hindsight reconstruction of Applicants' invention.

For at least the reasons set forth above, claim 16 is believed to be patentable over the applied references. Claim 48 contains the same limitations discussed above, and thus is believed to be patentable for at least the same reasons as claim 16.

2. Patentability of dependent claims

The rejected dependent claims are believed to be patentable over the applied references for at least the reason that they are dependent upon allowable base claims and because they recite additional patentable elements and steps.

Claims 19 and 51 further recite that the preset time period is at least about one second. Again, Siegel has no disclosure or suggestion of any particular time period that the cursor must be placed over a special word to invoke the text-to-speech function. In the outstanding Office Action, the Examiner states that "one second would allow for the user and the computer to be sure that this is the position to read." While Applicants agree

with this statement, it is Applicants' inventive idea to provide such a time period, in combination with the other limitations.

Allowable Claims

Applicants acknowledge the Examiner's allowance of claims 1-11, 22-27, 33-43 and 54-57.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. A Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,
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(Date)

By: _____

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